

Commission Review

Log of Permanent Rule Filings

August 21, 2019 through September 20, 2019

* Approval Recommended, ** Objection Recommended, *** Other

ADMINISTRATION, DEPARTMENT OF

The rules in Chapter 38 are from the motor fleet management division and concern operation of the division's motor pools (.0100); maintenance and care of vehicles (.0200); assignment of vehicles (.0300); vehicle use (.0400); use of privately owned vehicles (.0500); and miscellaneous provisions (.0600).

<u>Mileage Rates</u>	01	NCAC 38	.0103
Readopt with Changes*			
<u>General Repairs and Maintenance</u>	01	NCAC 38	.0201
Readopt with Changes*			
<u>Accident Reporting</u>	01	NCAC 38	.0205
Readopt with Changes*			
<u>Requests for Assignment of Vehicles</u>	01	NCAC 38	.0302
Readopt with Changes*			
<u>Removal of Vehicles from Individual and Agency Assignment</u>	01	NCAC 38	.0305
Readopt with Changes*			
<u>Return of Assigned Vehicles</u>	01	NCAC 38	.0308
Readopt with Changes*			
<u>Official Use Only</u>	01	NCAC 38	.0401
Amend*			
<u>Relatives</u>	01	NCAC 38	.0407
Readopt with Changes*			

The rules in Subchapter 43A concern state surplus property including general provisions (.0100); state surplus property (.0200); and disposal of surplus property (.0300).

<u>Public Sale</u>	01	NCAC 43A	.0307
Readopt with Changes*			
<u>First-Come First-Served</u>	01	NCAC 43A	.0308
Readopt with Changes*			
<u>Rejection of Bids</u>	01	NCAC 43A	.0309
Readopt with Changes*			
<u>Receipt of Bids</u>	01	NCAC 43A	.0310
Readopt with Changes*			
<u>Inspection of Property</u>	01	NCAC 43A	.0311
Readopt with Changes*			
<u>State Does Not Guarantee</u>	01	NCAC 43A	.0312
Readopt with Changes*			
<u>Refunds</u>	01	NCAC 43A	.0313
Readopt with Changes*			
<u>Extension to Pay or Remove Property</u>	01	NCAC 43A	.0314
Readopt with Changes*			
<u>Failure to Pay or Remove Property</u>	01	NCAC 43A	.0315
Readopt with Changes*			

<u>Bond</u>	01	NCAC 43A .0316
Readopt with Changes*		
<u>Demolition of State Buildings</u>	01	NCAC 43A .0317
Readopt with Changes*		
<u>Timber Sales, Pinestraw, and Forest Commodities Sales</u>	01	NCAC 43A .0318
Readopt with Changes*		
<u>Surplus Weapons and Firearms</u>	01	NCAC 43A .0319
Readopt with Changes*		
<u>Payment</u>	01	NCAC 43A .0320
Readopt with Changes*		

HHS - HEALTH SERVICE REGULATION, DIVISION OF

The rules in Subchapter 14G concern exemptions from prohibitions of self-referrals by health care providers for underserved areas.

<u>Definitions</u>	10A	NCAC 14G .0101
Readopt/Repeal*		
<u>Application</u>	10A	NCAC 14G .0102
Readopt with Changes*		
<u>Criteria for an Underserved Area Exemption - New Entity</u>	10A	NCAC 14G .0103
Readopt/Repeal*		
<u>Criteria for an Underserved Area Exemption - Existing Entity</u>	10A	NCAC 14G .0104
Readopt/Repeal*		

SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Subchapter 10B are from the N.C. Sheriffs' Education and Training Standards Commission. These rules govern the commission organization and procedure (.0100); enforcement rules (.0200); minimum standards for employment as a justice officer (deputy or jailer) (.0300); certification of justice officers (.0400); standards and accreditation for justice officers schools, training programs, and the instructors (.0500-.0900); certificate and awards programs for sheriffs, deputies, justice officers, jailers, reserve officers, and telecommunicators (.1000-.1700); in-service training (.2000); and firearms in-service training and re-qualification (.2100).

<u>Certification and Training for School Resources Officers</u>	12	NCAC 10B .0510
Amend*		
<u>Minimum Training Requirements</u>	12	NCAC 10B .2005
Amend*		

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2B pertain to surface water standards and monitoring including procedures for assignment of water quality standards (.0100); the standards used to classify the waters of the state (.0200); stream classifications (.0300); effluent limitations (.0400); monitoring and reporting requirements (.0500); and water quality management plans (.0600).

<u>Tar-Pamlico Nutrient Strategy: New and Expanding Wastewat...</u>	15A	NCAC 02B .0229
Readopt with Changes*		
<u>Neuse Nutrient Strategy: Purpose and Scope</u>	15A	NCAC 02B .0232
Readopt with Changes*		
<u>Neuse River Basin-Nutrient Sensitive Waters Management St...</u>	15A	NCAC 02B .0234

Readopt with Changes*	
<u>Neuse Strategy: Stormwater</u>	15A NCAC 02B .0235
Readopt with Changes*	
<u>Neuse River Basin-Nutrient Sensitive Waters Management St...</u>	15A NCAC 02B .0236
Readopt/Repeal*	
<u>Best Management Practice Cost-Effectiveness Rate</u>	15A NCAC 02B .0237
Readopt/Repeal*	
<u>Neuse Nutrient Strategy: Agriculture</u>	15A NCAC 02B .0238
Readopt with Changes*	
<u>Neuse River Basin: Nutrient Sensitive Waters Management S...</u>	15A NCAC 02B .0239
Readopt/Repeal*	
<u>Nutrient Offset Credit Training</u>	15A NCAC 02B .0240
Readopt with Changes*	
<u>Tar-Pamlico River Basin-Nutrient Sensitive Waters Managem...</u>	15A NCAC 02B .0255
Readopt/Repeal*	
<u>Tar-Pamlico Nutrient Strategy: Agriculture</u>	15A NCAC 02B .0256
Readopt with Changes*	
<u>Tar-Pamlico River Basin-Nutrient Sensitive Waters Managem...</u>	15A NCAC 02B .0257
Readopt/Repeal*	
<u>Tar-Pamlico Nutrient Strategy: Stormwater</u>	15A NCAC 02B .0258
Readopt with Changes*	
<u>Nutrient Strategies Definitions</u>	15A NCAC 02B .0701
Adopt*	
<u>Tar-Pamlico Nutrient Strategy: Purpose and Scope</u>	15A NCAC 02B .0730
Adopt*	

The rules in Subchapter 2D are air pollution control requirements including definitions and references (.0100); air pollution sources (.0200); air pollution emergencies (.0300); ambient air quality standards (.0400); emission control standards (.0500); air pollutants monitoring and reporting (.0600); complex sources (.0800); volatile organic compounds (.0900); motor vehicle emission control standards (.1000); control of toxic air pollutants (.1100); control of emissions from incinerators (.1200); oxygenated gasoline standard (.1300); nitrogen oxide standards (.1400); general conformity for federal actions (.1600); emissions at existing municipal solid waste landfills (.1700); control of odors (.1800); open burning (.1900); transportation conformity (.2000); risk management program (.2100); special orders (.2200); emission reduction credits (.2300); clean air interstate rules (.2400); mercury rules for electric generators (.2500); and source testing (.2600).

<u>Purpose and Scope</u>	15A NCAC 02D .0601
Readopt without Changes*	
<u>Definitions</u>	15A NCAC 02D .0602
Readopt without Changes*	
<u>Exceptions to Monitoring and Reporting Requirements</u>	15A NCAC 02D .0604
Readopt without Changes*	
<u>General Recordkeeping and Reporting Requirements</u>	15A NCAC 02D .0605
Readopt without Changes*	
<u>Sources Covered by Appendix P of 40 CFR Part 51</u>	15A NCAC 02D .0606
Readopt without Changes*	
<u>Large Wood and Wood-Fossil Fuel Combination Units</u>	15A NCAC 02D .0607
Readopt without Changes*	
<u>Other Large Coal or Residual Oil Boilers</u>	15A NCAC 02D .0608
Readopt without Changes*	

<u>Federal Monitoring Requirements</u>	15A NCAC 02D .0610
Readopt without Changes*	
<u>Monitoring Emissions from Other Sources</u>	15A NCAC 02D .0611
Readopt without Changes*	
<u>Alternative Monitoring and Reporting Procedures</u>	15A NCAC 02D .0612
Readopt without Changes*	
<u>Quality Assurance Program</u>	15A NCAC 02D .0613
Readopt without Changes*	
<u>Compliance Assurance Monitoring</u>	15A NCAC 02D .0614
Readopt with Changes*	
<u>Delegation</u>	15A NCAC 02D .0615
Readopt without Changes*	
<u>Applicability</u>	15A NCAC 02D .2101
Readopt without Changes*	
<u>Definitions</u>	15A NCAC 02D .2102
Readopt without Changes*	
<u>Requirements</u>	15A NCAC 02D .2103
Readopt without Changes*	
<u>Implementation</u>	15A NCAC 02D .2104
Readopt with Changes*	
<u>Purpose</u>	15A NCAC 02D .2301
Readopt without Changes*	
<u>Definitions</u>	15A NCAC 02D .2302
Readopt without Changes*	
<u>Applicability and Eligibility</u>	15A NCAC 02D .2303
Readopt with Changes*	
<u>Qualification of Emission Reduction Credits</u>	15A NCAC 02D .2304
Readopt without Changes*	
<u>Creating and Banking Emission Reduction Credits</u>	15A NCAC 02D .2305
Readopt with Changes*	
<u>Duration of Emission Reduction Credits</u>	15A NCAC 02D .2306
Readopt without Changes*	
<u>Use of Emission Reduction Credits</u>	15A NCAC 02D .2307
Readopt with Changes*	
<u>Certificates and Registry</u>	15A NCAC 02D .2308
Readopt without Changes*	
<u>Transferring Emission Reduction Credits</u>	15A NCAC 02D .2309
Readopt without Changes*	
<u>Revocation and Changes of Emission Reduction Credits</u>	15A NCAC 02D .2310
Readopt without Changes*	
<u>Monitoring</u>	15A NCAC 02D .2311
Readopt without Changes*	
<u>Purpose and Scope</u>	15A NCAC 02D .2601
Readopt with Changes*	
<u>General Provisions on Test Methods and Procedures</u>	15A NCAC 02D .2602
Readopt with Changes*	
<u>Testing Protocol</u>	15A NCAC 02D .2603
Readopt with Changes*	
<u>Number of Test Points</u>	15A NCAC 02D .2604

Readopt without Changes*	
<u>Velocity and Volume Flow Rate</u>	15A NCAC 02D .2605
Readopt without Changes*	
<u>Molecular Weight</u>	15A NCAC 02D .2606
Readopt without Changes*	
<u>Determination of Moisture Content</u>	15A NCAC 02D .2607
Readopt without Changes*	
<u>Number of Runs and Compliance Determination</u>	15A NCAC 02D .2608
Readopt with Changes*	
<u>Particulate Testing Methods</u>	15A NCAC 02D .2609
Readopt with Changes*	
<u>Opacity</u>	15A NCAC 02D .2610
Readopt with Changes*	
<u>Sulfur Dioxide Testing Methods</u>	15A NCAC 02D .2611
Readopt with Changes*	
<u>Nitrogen Oxide Testing Methods</u>	15A NCAC 02D .2612
Readopt without Changes*	
<u>Volatile Organic Compound Testing Methods</u>	15A NCAC 02D .2613
Readopt without Changes*	
<u>Determination of Voc Emission Control System Efficiency</u>	15A NCAC 02D .2614
Readopt with Changes*	
<u>Fluorides</u>	15A NCAC 02D .2616
Readopt with Changes*	
<u>Total Reduced Sulfur</u>	15A NCAC 02D .2617
Readopt without Changes*	
<u>Mercury</u>	15A NCAC 02D .2618
Readopt with Changes*	
<u>Arsenic, Beryllium, Cadmium, Hexavalent Chromium</u>	15A NCAC 02D .2619
Readopt without Changes*	
<u>Dioxins and Furans</u>	15A NCAC 02D .2620
Readopt without Changes*	
<u>Determination of Pollutant Emissions Using the F Factor</u>	15A NCAC 02D .2621
Readopt with Changes*	

WILDLIFE RESOURCES COMMISSION

The rules in Subchapter 10H concern activities regulated by the Commission including controlled hunting preserves for domestically raised game birds (.0100), holding wildlife in captivity (.0300), commercial trout ponds (.0400), fish propagation (.0700), falconry (.0800), game bird propagators (.0900), taxidermy (.1000), furbearer propagation (.1100), controlled fox hunting preserves (.1200), and reptiles and amphibians (.1300).

<u>Game Bird Propagation License</u>	15A NCAC 10H .0901
Readopt with Changes*	
<u>Acquisition of Birds or Eggs</u>	15A NCAC 10H .0903
Readopt with Changes*	
<u>Disposition of Birds or Eggs</u>	15A NCAC 10H .0904
Readopt with Changes*	
<u>Transportation</u>	15A NCAC 10H .0905
Amend*	

<u>Records</u>	15A NCAC 10H .0906
Amend*	
<u>Quail Call-Pen Traps</u>	15A NCAC 10H .0907
Amend*	
<u>Application for Licensure</u>	15A NCAC 10H .1101
Amend*	
<u>License Authorization</u>	15A NCAC 10H .1102
Repeal*	
<u>Posting and Display of License</u>	15A NCAC 10H .1103
Repeal*	
<u>Cages</u>	15A NCAC 10H .1104
Amend*	
<u>Sanitation and Care</u>	15A NCAC 10H .1105
Repeal*	
<u>Humane Treatment</u>	15A NCAC 10H .1106
Readopt with Changes*	
<u>Records</u>	15A NCAC 10H .1107
Amend*	
<u>Inspections</u>	15A NCAC 10H .1108
Repeal*	
<u>Commercial Take of Certain Turtles Prohibited</u>	15A NCAC 10H .1301
Amend*	
<u>Possession of Reptiles and Amphibians</u>	15A NCAC 10H .1302
Amend*	

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Chapter 13 concern Solid Waste Management. The rules in Subchapter 13B concern Solid Waste Management including general provisions (.0100); permits for solid waste management facilities (.0200); treatment and processing facilities (.0300); transfer facilities (.0400); disposal sites (.0500); monitoring requirements (.0600); administrative penalty procedures (.0700); septage management (.0800); yard waste facilities (.0900); solid waste management loan program (.1000); scrap tire management (.1100); medical waste management (.1200); disposition of remains of terminated pregnancies (.1300); municipal solid waste compost facilities (.1400); standards for special tax treatment of recycling and resource recovery equipment and facilities (.1500); requirements for municipal solid waste landfill facilities (.1600); and requirements for beneficial use of coal combustion by-products (.1700).

<u>Definitions</u>	15A NCAC 13B .1201
Readopt with Changes*	
<u>General Requirements for Medical Waste</u>	15A NCAC 13B .1202
Readopt with Changes*	
<u>Requirements for Regulated Medical Waste Generators, Tran...</u>	15A NCAC 13B .1203
Readopt with Changes*	
<u>Requirements for the Treatment of Regulated Medical Waste</u>	15A NCAC 13B .1204
Readopt with Changes*	
<u>Requirements for Transporters of Regulated Medical Waste</u>	15A NCAC 13B .1205
Readopt/Repeal*	
<u>Requirements for Storage of Regulated Medical Waste</u>	15A NCAC 13B .1206
Readopt/Repeal*	
<u>Operational Req/Regulated Medical Waste Treatment Facilities</u>	15A NCAC 13B .1207

Readopt/Repeal*	
<u>Requirement for Permit</u>	15A NCAC 13B .1401
Readopt with Changes*	
<u>General Provisions for Solid Waste Compost Facilities</u>	15A NCAC 13B .1402
Readopt with Changes*	
<u>General Prohibitions for Solid Waste Compost Facilities</u>	15A NCAC 13B .1403
Readopt with Changes*	
<u>Siting/Design Requirements for Solid Waste Compost Facili...</u>	15A NCAC 13B .1404
Readopt with Changes*	
<u>Application Requirements for Solid Waste Compost Facilities</u>	15A NCAC 13B .1405
Readopt with Changes*	
<u>Operational Requirements for Solid Waste Compost Facilities</u>	15A NCAC 13B .1406
Readopt with Changes*	
<u>Classification, Testing, and Distribution of Solid Waste ...</u>	15A NCAC 13B .1407
Readopt with Changes*	
<u>Recordkeeping and Reporting Requirements</u>	15A NCAC 13B .1408
Readopt with Changes*	
<u>Alternative Procedures, Vermicomposting, and Anaerobic Di...</u>	15A NCAC 13B .1409
Readopt with Changes*	
<u>Closure Requirements</u>	15A NCAC 13B .1410
Adopt*	

FUNERAL SERVICE, BOARD OF

The rules in Subchapter 34A concern board functions including general provisions (.0100); and fees and other payments (.0200).

<u>Fees and Other Payments</u>	21 NCAC 34A .0201
Readopt with Changes**	

The rules in Subchapter 34B are funeral service rules including rules relating to resident trainees (.0100); examinations (.0200); licensing (.0300); continuing education (.0400); out-of-state licensees (.0500); funeral establishments (.0600); and preparation of dead bodies (.0700).

<u>Practice of Funeral Service or Funeral Directing Not as a...</u>	21 NCAC 34B .0310
Readopt with Changes*	

The rules in Subchapter 34C concern crematories including general provisions (.0100); equipment and processing (.0200); and authorizations, reports, records (.0300).

<u>Monthly Reports</u>	21 NCAC 34C .0305
Readopt with Changes*	

The rules in Subchapter 34D are preneed funeral contract rules including general provisions (.0100); licensing (.0200); operations (.0300); and preneed recovery fund (.0400).

<u>Preneed Funeral Contract Copies to be Filed</u>	21 NCAC 34D .0105
Readopt with Changes*	
<u>Surety Bonds</u>	21 NCAC 34D .0203
Readopt with Changes*	
<u>Certificate of Performance</u>	21 NCAC 34D .0303
Readopt with Changes*	